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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

AC2T, Inc., d/b/a Spartan Mosquito,	:	
	:	
Plaintiff,	:	Civil Action
	:	Case Number: 2:19-cv-05946-RBS
	:	
v.	:	Jury Trial Demanded
	:	
Colin Purrington,	:	
	:	
Defendant.	:	
	:	

MOTION TO FILE EXHIBITS UNDER SEAL

Plaintiff requests leave to file three exhibits under seal. On March 21, 2022 (ECF 45), Defendant filed his second motion for sanctions in this case against Plaintiff and against Plaintiff's counsel personally. (Defendant's first motion for sanctions – also against Plaintiff's counsel personally – was denied on January 14, 2022 at ECF 36.)

Without attaching evidence, Defendant's second sanctions motion made a series of unfounded allegations against Plaintiff and counsel – “gross and knowing spoliation of evidence”, “bad faith”, “extreme prejudice”, etc. ECF 45, page 1.

In response (ECF 46), Plaintiff pointed out that its document production in October 2021 included about one and a half terabytes of data, which included literally days of video showing experimentation on the product. ECF 46, page 2. The entire production is much too large to be

filed with the Court. However, Plaintiff cited several “counter-examples” (the exhibits to be filed under seal) from its production to illustrate that “the allegations in Defendant’s motion are false”. Id.

The counter-examples show testing of Plaintiff’s product and data derived from the tests. This information is confidential, as set out in the Court’s Order of January 14, 2022 (ECF 37). The testing and data derived from the testing are “Confidential or proprietary research, development, ... [and] trade secrets...” Id., ¶ 1. Plaintiff therefore requests leave to file them under seal pursuant to paragraph 7. Id., ¶ 7. For these reasons, this Motion should be granted.

Respectfully submitted,

/s/ Evan L. Frank
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